

(Counsel listed on following pages)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOE LEWIS LUQUE AND HERMAN  
RICHARDSON, Individually and On Behalf of  
All Others Similarly Situated

Plaintiffs,

vs.

AT&T CORP., PACIFIC BELL TELEPHONE  
CO. d/b/a AT&T CALIFORNIA, AND AT&T  
COMMUNICATIONS OF CALIFORNIA,  
INC.,

Defendants.

No. C-09-5885-CRB (JCS)

**STIPULATION AND ~~PROPOSED~~ ORDER  
COMPELLING DEPOSITIONS,  
DISCOVERY, AND/OR PRODUCTION OF  
DOCUMENTS BY OPT-IN PLAINTIFFS  
FELICIA BENKOSKY, JOSE MARTIN  
DEL CAMPO, RAYMOND KOOB, BOBBY  
PARRISH, JOHN SANTILLAN, AND  
ROBERT TORRES**

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1 Plaintiffs Joe Lewis Luque and Herman Richardson and defendants Pacific Bell Telephone  
2 Company, AT&T Corp., and AT&T Communications of California, Inc., acting through their respective  
3 counsel of record, hereby stipulate as follows:

4 1. Since July and August 2011, Defendants have sought written discovery from and/or  
5 requested deposition dates from opt-in plaintiffs Felicia Benkosky, Jose Martin del Campo, Raymond  
6 Koob, Bobby Parrish, John Santillan, and Robert Torres. These opt-in plaintiffs have failed to complete  
7 the requested discovery and/or failed to provide dates for depositions.

8 2. Per the Court's October 4, 2011 Amended Scheduling Order (Docket No. 151), the  
9 deadline for completion of non-expert class certification fact discovery is February 16, 2012, less than  
10 two months away.

11 3. Counsel for the parties have met in person and conferred in good faith regarding the  
12 depositions, discovery responses, and production of documents by Felicia Benkosky, Jose Martin del  
13 Campo, Raymond Koob, Bobby Parrish, John Santillan, and Robert Torres, and hereby stipulate to the  
14 following compromise:

15 a. Felicia Benkosky, Jose Martin del Campo, Raymond Koob, Bobby Parrish, John  
16 Santillan, and Robert Torres shall appear for and complete their depositions no  
17 later than February 16, 2012;

18 b. Felicia Benkosky, Jose Martin del Campo, Raymond Koob, Bobby Parrish, John  
19 Santillan, and Robert Torres shall provide written discovery responses and  
20 produce responsive documents, if any, no later than two weeks prior to their  
21 depositions.

22 4. The parties respectfully request, in the Proposed Order filed herewith, that the Court enter  
23 an Order compelling compliance with paragraph 3, sub-parts (a) and (b), immediately above.

24 5. Should Felicia Benkosky, Jose Martin del Campo, Raymond Koob, Bobby Parrish, John  
25 Santillan, or Robert Torres fail to provide discovery responses, produce responsive documents, and  
26 appear for and complete depositions no later than February 16, 2012, Defendants reserve the right to  
27 seek further relief from the Court. Plaintiffs reserve the right to oppose any such requests for further  
28 relief.

6. Nothing in this stipulation will prohibit the parties from seeking an extension of deadlines on other grounds, if appropriate.

It is so stipulated.

Dated: January 9, 2012.

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Dated: January 9, 2012.

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**[PROPOSED] ORDER**

On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED that:

- a. Felicia Benkosky, Jose Martin del Campo, Raymond Koob, Bobby Parrish, John Santillan, and Robert Torres shall appear for and complete their depositions no later than February 16, 2012;
- b. Felicia Benkosky, Jose Martin del Campo, Raymond Koob, Bobby Parrish, John Santillan, and Robert Torres shall provide written discovery responses and produce responsive documents, if any, no later than two weeks prior to their depositions.

Dated: January 10, 2012.

